

REFERENCE TITLE: electric vehicles; charging; pilot program

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2241

Introduced by
Representatives Aguilar: Contreras P, De Los Santos, Gutierrez, Hernandez
A, Hernandez L, Hernandez M, Longdon, Ortiz, Peshlakai, Sandoval, Seaman,
Stahl Hamilton, Sun

AN ACT

AMENDING SECTIONS 9-467 AND 11-321, ARIZONA REVISED STATUTES; RELATING TO
INFRASTRUCTURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-467, Arizona Revised Statutes, is amended to
3 read:

4 9-467. Building permits; issuance; distribution of copies;
5 state preemption; utilities; electrical capacity;
6 subsequent owner; limitation; definitions

7 A. Any municipality requiring the issuance of a building permit
8 shall transmit one copy of the permit to the county assessor and one copy
9 to the director of the department of revenue. Permit copies shall provide
10 the permit number, issue date and parcel number. On the issuance of the
11 certificate of occupancy or the certificate of completion or on the
12 expiration or cancellation of the permit, the assessor and the department
13 of revenue shall be notified in writing or in electronic format of the
14 permit number, parcel number, issue date and completion date.

15 B. The regulation of a utility provider's authority to operate and
16 serve customers is a matter of statewide concern. The regulation of
17 building permits as it relates to a building permit applicant's ability to
18 use a utility provider that is capable and authorized to provide utility
19 service is allowed solely in accordance with subsections C and D of this
20 section. A building permit applicant's ability to use a utility provider
21 that is capable and authorized to provide utility service is not subject
22 to further regulation by a municipality.

23 C. A municipality requiring the issuance of a building permit may
24 not deny a permit application based on the utility provider proposed to
25 provide utility service to the project.

26 D. A municipality issuing a building permit shall ensure that all
27 applicable permits and associated fees assessed on a building permit
28 applicant contain requirements and amounts that do not exceed the
29 requirements and amounts for use of other utility providers and do not
30 have the effect of restricting ~~a~~ THE permit applicant's ability to use
31 the services of a utility provider that is capable and authorized to
32 provide utility service.

33 E. A municipality may not require an applicant for a building
34 permit to hold a transaction privilege tax license or business license as
35 a condition for issuing the building permit. A ~~city or town~~ MUNICIPALITY
36 may require a person that has been issued a building permit and that does
37 not otherwise hold a business license from the municipality to apply for a
38 business license within thirty days after issuing the building permit.

39 F. A MUNICIPALITY MAY NOT ISSUE A RESIDENTIAL STRUCTURE BUILDING
40 PERMIT FOR A SINGLE-FAMILY STRUCTURE IF THE RESIDENTIAL STRUCTURE DOES NOT
41 HAVE A 208/240-VOLT, FIFTY-AMPERE, NEMA 14-50 BRANCH CIRCUIT WITH A
42 DEDICATED OUTLET TO CHARGE AN ELECTRIC VEHICLE IN THE RESIDENTIAL
43 STRUCTURE'S GARAGE OR WITHIN TEN FEET OF A PARKING SPACE ON THE OUTSIDE OF
44 THE RESIDENTIAL STRUCTURE. THIS SUBSECTION DOES NOT APPLY TO ANY OF THE
45 FOLLOWING:

- 1 1. A MANUFACTURED HOME.
2 2. A RESIDENTIAL STRUCTURE THAT IS LESS THAN ONE THOUSAND SQUARE
3 FEET.
4 3. A RESIDENTIAL STRUCTURE IN WHICH OFF-STREET PARKING IS NOT
5 PROVIDED.
6 4. A RESIDENTIAL STRUCTURE IN WHICH THE ADDITION OF A FIFTY-AMPERE
7 CIRCUIT WOULD REQUIRE THE MAIN SERVICE TO EXCEED TWO HUNDRED AMPERE.
8 ~~F.~~ G. If a person has constructed a building or an addition to a
9 building without obtaining a building permit, a municipality shall not
10 require a subsequent owner to obtain a permit for the construction or
11 addition done by the prior owner before issuing a permit for a building
12 addition except that this section does not prohibit A MUNICIPALITY FROM
13 enforcing an applicable ordinance or code provision that affects the
14 public health or safety.
15 ~~G.~~ H. This section does not prohibit a municipality from
16 recovering reasonable costs associated with reviewing and issuing a
17 building permit.
18 ~~H.~~ I. This section does not affect any authority of a municipality
19 to manage or operate a municipally owned utility.
20 ~~I.~~ J. For the purposes of this section:
21 1. "Municipality" means a city or town organized in accordance with
22 law, including a home rule or charter city.
23 2. "Utility service" means water, wastewater, natural gas,
24 including propane gas, or electric service provided to an end user.
25 Sec. 2. Section 11-321, Arizona Revised Statutes, is amended to
26 read:
27 11-321. Building permits; issuance; state preemption;
28 utilities; distribution of copies; electrical
29 capacity; subsequent owner; limitation; definition
30 A. Except in those cities and towns that have an ordinance relating
31 to ~~the issuance of~~ ISSUING building permits, the board of supervisors
32 shall require a building permit for any construction of a building or an
33 addition to a building exceeding a cost of \$1,000 within its jurisdiction.
34 The building permit shall be filed with the board of supervisors or its
35 designated agent.
36 B. The regulation of a utility provider's authority to operate and
37 serve customers is a matter of statewide concern. The regulation of
38 building permits as it relates to a building permit applicant's ability to
39 use a utility provider that is capable and authorized to provide utility
40 service is allowed solely in accordance with subsections C and D of this
41 section. A building permit applicant's ability to use a utility provider
42 that is capable and authorized to provide utility service is not subject
43 to further regulation by a county.
44 C. A county may not deny a permit application based on the utility
45 provider proposed to provide utility service to the project.

1 D. A county issuing a building permit shall ensure that all
2 applicable permits and associated fees assessed on a building permit
3 applicant contain requirements and amounts that do not exceed the
4 requirements and amounts for use of other utility providers and do not
5 have the effect of restricting ~~a~~ THE permit applicant's ability to use
6 the services of a utility provider that is capable and authorized to
7 provide utility service.

8 E. The board of supervisors may not require an applicant for a
9 building permit to hold a transaction privilege tax license or business
10 license as a condition for issuing the building permit.

11 F. Where deemed of public convenience, the board of supervisors
12 shall allow the application for and the issuance of building permits by
13 mail.

14 G. One copy of the building permit required by the terms of
15 subsection A of this section shall be transmitted to the county assessor
16 and one copy shall be transmitted to the director of the department of
17 revenue. The permit copy provided to the assessor and the department of
18 revenue shall have the permit number, the issue date and the parcel number
19 for which the permit is issued. On the issuance of the certificate of
20 occupancy or the certificate of completion or on the expiration or
21 cancellation of the permit, the assessor and the department of revenue
22 shall be notified in writing or in electronic format of the permit number,
23 parcel number, issue date and completion date.

24 H. THE BOARD OF SUPERVISORS MAY NOT ISSUE A RESIDENTIAL STRUCTURE
25 BUILDING PERMIT FOR A SINGLE-FAMILY STRUCTURE IF THE RESIDENTIAL STRUCTURE
26 DOES NOT HAVE A 208/240-VOLT, FIFTY-AMPERE, NEMA 14-50 BRANCH CIRCUIT WITH
27 A DEDICATED OUTLET TO CHARGE AN ELECTRIC VEHICLE IN THE RESIDENTIAL
28 STRUCTURE'S GARAGE OR WITHIN TEN FEET OF A PARKING SPACE ON THE OUTSIDE OF
29 THE RESIDENTIAL STRUCTURE. THIS SUBSECTION DOES NOT APPLY TO ANY OF THE
30 FOLLOWING:

- 31 1. A MANUFACTURED HOME.
- 32 2. A RESIDENTIAL STRUCTURE THAT IS LESS THAN ONE THOUSAND SQUARE
33 FEET.
- 34 3. A RESIDENTIAL STRUCTURE IN WHICH OFF-STREET PARKING IS NOT
35 PROVIDED.
- 36 4. A RESIDENTIAL STRUCTURE IN WHICH THE ADDITION OF A FIFTY-AMPERE
37 CIRCUIT WOULD REQUIRE THE MAIN SERVICE TO EXCEED TWO HUNDRED AMPERE.

38 ~~H~~ I. If a person has constructed a building or an addition to a
39 building without obtaining a building permit, a county shall not require a
40 subsequent owner to obtain a permit for the construction or addition done
41 by the prior owner before issuing a permit for a building addition except
42 that this section does not prohibit A COUNTY FROM enforcing an applicable
43 ordinance or code provision that affects the public health or safety.

44 ~~I~~ J. This section does not prohibit a county from recovering
45 reasonable costs associated with reviewing and issuing a building permit.

1 ~~J~~ K. This section does not affect any authority of a county to
2 manage or operate a county-owned utility.

3 ~~K~~ L. For the purposes of this section, "utility service" means
4 water, wastewater, natural gas, including propane gas, or electric service
5 provided to an end user.

6 Sec. 3. Electric vehicle-ready homes pilot program;
7 requirements; report; delayed repeal

8 A. The department of administration shall conduct a two-year
9 electric vehicle-ready homes pilot program.

10 B. The department shall reimburse the owner of a single-family or
11 multifamily residential structure the cost of installing a high voltage
12 electrical outlet for the purpose of charging an electric vehicle.

13 C. The program shall provide for the following:

14 1. Guidelines and standards to install an electrical outlet for the
15 purpose of charging an electric vehicle.

16 2. Reimbursement for the actual cost to install the outlet, but not
17 to exceed \$1,000, until the monies are exhausted.

18 3. A person is not eligible for reimbursement if the person has
19 received monies for installing electrical outlets or charging stations for
20 electric vehicles from a utility.

21 D. The department may adopt policies and procedures to carry out
22 the purposes of this pilot program.

23 E. On or before December 31, 2025, the department shall submit a
24 report to the president of the senate, the speaker of the house of
25 representatives and the governor detailing the results of the pilot
26 program and any revenues and costs associated with the program. The
27 department shall provide a copy of the report to the secretary of state.

28 F. This section is repealed from and after September 30, 2026.